



2808

Docket No.: 3079D-0040

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tsun-Tying HSU

U.S. Patent Application No. 09,460,974

Filed: December 15, 1999

:  
:  
: Confirmation No. 3189  
:  
: Group Art Unit: 2858  
:  
: Examiner: Wasseem H. Hamdan

For: ELECTRIC QUANTITY INDICATOR FOR AN ELECTROMOTIVE VEHICLE

**MAIL STOP PETITIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW ABANDONMENT**

Under 37 CFR §§1.8(b) and 1.181, applicant hereby petitions to withdraw the Notice of Abandonment mailed December 15, 1999, (copy enclosed). The application was abandoned because the Patent and Trademark Office records indicate that the issue fee was not paid.

The undersigned, applicant's attorney of record, first became aware of the Notice of Allowance on June 13, 2002, upon Applicant's Attorney making telephone inquiries with the U.S. Patent & Trademark Office. Applicant's Attorney received a copy of the Notice of Allowance (dated November 9, 2001) on June 13, 2002 after several request to the U.S. Patent and Trademark Office. Upon reviewing the Notice of Allowance, Applicant's Attorney recognized that the mailing address on the Notice of Allowance was 5203 Leesburg Pike. On December 15, 1999, the filing date of the application, Applicant's Attorney filed a Change of Correspondence Address reflecting a mailing address of 5205 Leesburg Pike.

Applicant's Attorney further filed a Request for Withdrawal of Notice of Abandonment and Issuance of a New Notice of Allowance and Issue Fee Due on July 8, 2002, at which time copies of all date stamped post cards were provided as proof of evidence. Applicant's Attorney was advised by the U.S. Patent and Trademark Office today that the July 8, 2002, request was never documented by the U.S.P.T.O and therefore, the application remains abandoned.

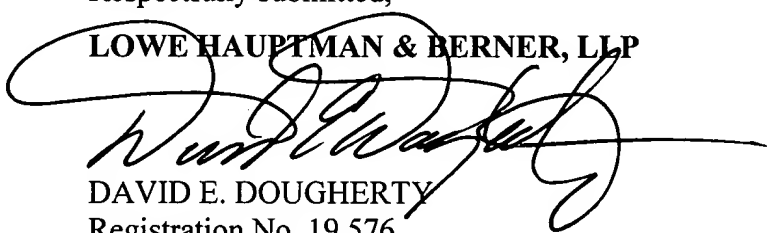
In view of the foregoing, Applicant' hereby request that the Notice of Abandonment be withdrawn and a Notice of Allowance be issued with a new date. A Notice of Allowance was

never received by our office and, therefore, a response was not filed. Further, it is Applicant's contention that the Applicant's Request for Withdrawal of Notice of Abandonment, though timely filed, was never processed by the U.S. Patent Office although receipt thereof was acknowledged.

In view of the foregoing, Applicant requests that the Notice of Abandonment be withdrawn and a Notice of Allowance be issued.

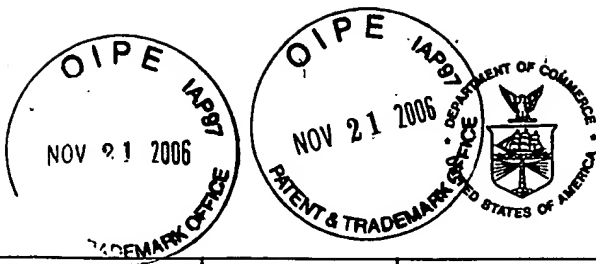
Respectfully submitted,

**LOWE HAUPTMAN & BERNER, LLP**



DAVID E. DOUGHERTY  
Registration No. 19,576

1700 Diagonal Road, Suite 300  
Alexandria, Virginia 22314  
(703) 684-1111  
(703) 518-5499 Facsimile  
**Date: November 20, 2006**  
**DED/eem**



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/450,974	12/15/99	HSU	3079/40

DOUGHERTY & TROXELL  
8203 LEESBURG PIKE  
SUITE 1404  
FALLS CHURCH VA 22041

MMC2/1109

COPY

EXAMINER	
HAMDAN, W	
ART UNIT	PAPER NUMBER
2852	

DATE MAILED: 11/09/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

APPROPRIATE TO THE  
FILING DATE OF THE  
APPLICATION  
FEE DUE DATE 11/21/02

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
001/100,974	12/15/99	001	HEWLETT, P. - 2558	11/07/00
First Named Applicant	IBM Corp. 25 USC 154(b) term ext. 4 0 days.			

TITLE OF INVENTION: ELECTRIC QUANTITY INDICATOR FOR AN ELECTROMOTIVE VEHICLE

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 3079/40	324-426,000	063	UTILITY	YES	\$600.00	02/11/02

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

**I. Review the SMALL ENTITY status shown above.**

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PATENT AND TRADEMARK OFFICE COPY



# Notice of Allowability

Application No.

09/460,974

Examiner

Wasseem H Hamdan

Applicant(s)

HSU, TSUN-TYING

Art Unit

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 09/25/01.
2. ☒ The allowed claim(s) is/are 7.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**


7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☒ including changes required by the proposed drawing correction filed 21 September 2001, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |  |   |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892).                                       | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.            |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____.              | 6 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

  
**SAFET METJAHIC**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

Art Unit: 2858

### **Part III - DETAILED ACTION**

#### ***Examiner's Statement Of Reason For Allowance***

1. The following is an examiner's statement of reasons for allowance:

Claim 7, is allowable because the prior art does not anticipate or suggest all the combination of the all the elements for an electrical quantity indicator for a battery in electromotive vehicle.

Regarding claim 7, the prior art of records do not teach all the combined design elements including the feedback circuit is actuated by the power consumption of the motor to close the switch to connect the feedback circuit to the meter, and the non-reset measuring meter is responsive only to a reduction in measured voltage and not to any increase in measured voltage.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2858

*Conclusion*

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wasseem Hamdan whose telephone number is (703) 305-3968. The examiner can normally be reached Monday-Thursday from 700AM-400PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Safet Metjahic can be reached on (703) 308-1436.

The fax phone number for this Art Unit is (703)308-7722 or (703)308-7724.

Any inquiry of a general nature or relating to the status of this application should be directed to the Receptionist at (703) 305-3800.

3. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 305-9724 (for informal or draft communications, please label

"PROPOSED" or "DRAFT" and prominently label PLEASE DELIVER

DIRECTLY TO EXAMINER)

Hand-delivered responses should be brought to Crystal Plaza 4 [fourth Floor (Receptionist)], 2201 South Clark Place, Arlington, VA. 22202.

Serial Number: 09/460,974

Page 4

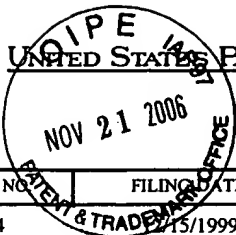
Art Unit: 2858

Wasseem H. Hamdan

*WH*

November 7, 2001



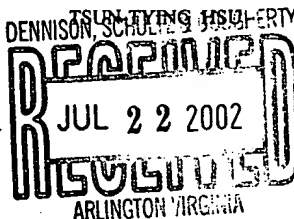


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/460,974	07/15/1999	DAVID E. DOUGHERTY	3079/40	3189

7590 07/15/2002  
DAVID E. DOUGHERTY  
DENNISON, SCHULTZ & DOUGHERTY  
612 CRYSTAL SQUARE 4  
1745 JEFFERSON DAVIS HIGHWAY  
ARLINGTON, VA 22202

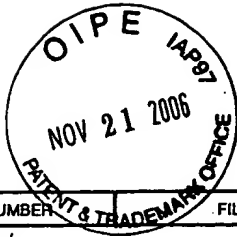


EXAMINER	
HAMDAN, WASSEEM H	
ART UNIT	PAPER NUMBER
2858	PH 7

DATE MAILED: 07/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

COPY



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER <b>09/460,974</b>	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
---	-------------	-----------------------	---------------------

EXAMINER
----------

ART UNIT	PAPER NUMBER <b>P#7</b>
----------	----------------------------

DATE MAILED:

### NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on \_\_\_\_\_.
- ☐ A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- ☐ A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.
- (A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).)
- ☐ No response has been received.
- ☒ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.
- ☐ The submitted issue fee of \$\_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_.
- ☒ The issue fee has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.
- ☐ The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

**ABANDONMENT**  
**CONTACT PERSON IS:**  
**TOM HAWKINS**  
**305.8380**



COPY

Inventor: **HSU**

Serial No: **09/460,974**

Docket No: **3079/40**

For: **ELECTRIC QUANTITY INDICATOR FOR AN ELECTROMOTIVE VEHICLE**

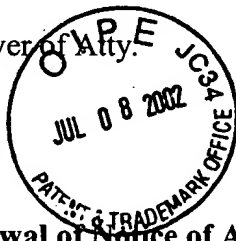
Due date: **No Due Date**

Date filed: **July 8, 2002**

Initials: **DED/daw**

This will acknowledge receipt in the Patent & Trademark Office of the following:

- |  |   |
|--|---|
| <input type="checkbox"/> New patent application (37CFR1.53b)       | <input type="checkbox"/> Claim for priority                   |
| <input type="checkbox"/> Provisional patent applic.(37CFR1.53c)    | <input type="checkbox"/> Priority document                    |
| <input type="checkbox"/> Continued prosecution applic.(37CFR1.53d) | <input type="checkbox"/> Amendment                            |
| <input type="checkbox"/> pages of Specification; _____ Claims      | <input type="checkbox"/> Info. Discl. Statement; _____ Refs.  |
| <input type="checkbox"/> sheet of Drawings; Fig _____              | <input type="checkbox"/> Petition for Ext. of Time; _____ Mo. |
| <input type="checkbox"/> Combined Declaration & Power of Atty.     | <input type="checkbox"/> Issue fee transmittal                |
| <input type="checkbox"/> Small entity declaration                  | <input type="checkbox"/> Notice of Appeal                     |
| <input type="checkbox"/> Assignment                                | <input type="checkbox"/> Appeal Brief (triplicate)            |
| <input type="checkbox"/> Revocation of pwr. of atty. &             | <input type="checkbox"/> Transmittal cover sheet              |
| <input type="checkbox"/> Appointment of new atty.                  | <input type="checkbox"/> Check:                               |



☒ Other: **Request for Withdrawal of Notice of Abandonment and Issuance of a New Notice of Allowance and Issue Fee Due**

**Two (2) Copies of Changes of Address with date-stamped receipt cards**

- |   |                                    |
|---|------------------------------------|
| <input type="checkbox"/> Trademark applic.        | <input type="checkbox"/> Drawing   |
| <input type="checkbox"/> Trademark applic.        | <input type="checkbox"/> Specimens |
| <input type="checkbox"/> Section 8 & 15 Affidavit |                                    |

☐ Please provide **EARLY NOTIFICATION** of the **SERIAL NUMBER** for the above application.



Attorney Docket No. 3079/40

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
: :  
HSU : Group Art Unit: 2858  
: :  
Serial No. 09/460,974 : Examiner: Wasseem H. Hamdan  
: :  
Filed: December 15, 1999 : :  
: :  
For: ELECTRIC QUANTITY : :  
INDICATOR FOR AN : :  
ELECTROMOTIVE VEHICLE : :

COPY

TRANSMITTAL COVER SHEET

Commissioner of Patents  
Washington, D.C. 20231

Sir:

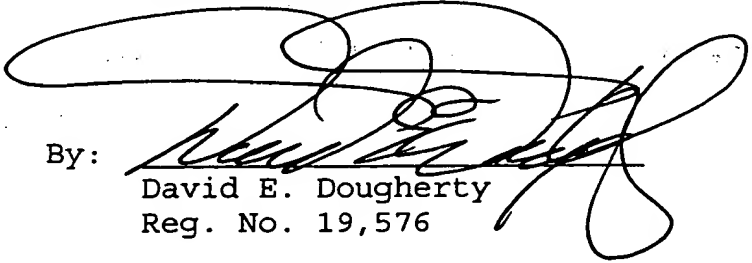
Transmitted herewith for filing is an:

1. Request for Withdrawal of Notice of Abandonment and Issuance of a New Notice of Allowance and Issue Fee Due
2. Change of Address dated December 15, 1999, along with date-stamped receipt card.
3. Change of Address dated March 15, 2002, along with date-stamped receipt card.

Respectfully submitted,

July 8, 2002  
Date

By:

  
David E. Dougherty  
Reg. No. 19,576

Dennison, Schultz & Dougherty  
612 Crystal Square 4  
1745 Jefferson Davis Highway  
Arlington, VA 22202  
Tel: 703-412-1155 - Ext. 17  
Fax: 703-412-1161



COPY

Attorney Docket No. 3079/40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
: :  
HSU : Group Art Unit: 2858  
: :  
Serial No. 09/460,974 : Examiner: Wasseem H. Hamdan  
: :  
Filed: December 15, 1999 : :  
: :  
For: ELECTRIC QUANTITY : :  
INDICATOR FOR AN : :  
ELECTROMOTIVE VEHICLE :

REQUEST FOR WITHDRAWAL OF  
NOTICE OF ABANDONMENT AND ISSUANCE OF A  
NEW NOTICE OF ALLOWANCE AND ISSUE FEE DUE

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

In response to several telephone calls, Applicant's attorney received on June 13, 2002 a copy of a Notice of Allowance and Issue Fee Due dated November 9, 2001.

It is respectfully submitted that the Notice of Allowance shows that the mailing address was 5203 Leesburg Pike, Suite 1404, Falls Church, Virginia. Applicant is submitting herewith a copy of the change of address notice filed in the U.S. Patent and Trademark Office on December 15, 1999, together with a copy of the receipt card showing receipt of that change of address by the U.S. Patent and Trademark Office. Applicant is also submitting a copy of a further change of address notice which was filed in the U.S. Patent and Trademark Office on March 15, 2002.

Accordingly, please issue a new Notice of Allowance and Issue Fee Due form. Please forward these documents to David

COPY

E. Dougherty at Dennison, Schultz and Dougherty as shown on the most recent change of address notice.

Respectfully submitted,

July 8, 2002

Date

By:

David E. Dougherty  
Reg. No. 19,576

**Dennison, Schultz & Dougherty**  
612 Crystal Square 4  
1745 Jefferson Davis Highway  
Arlington, VA 22202  
Tel: 703-412-1155 - Ext. 17  
Fax: 703-412-1161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Tsun-Tying HSU

Serial No.: Unassigned

Filed: December 15, 1999



For: ELECTRIC QUANTITY INDICATOR  
FOR AN ELECTROMOTIVE VEHICLE

CHANGE OF ADDRESS

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

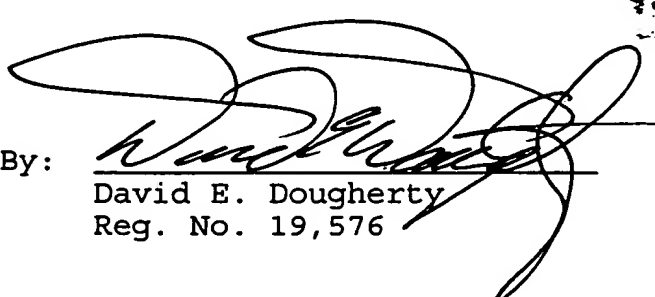
Please forward all further correspondence in this  
application to DOUGHERTY & TROXELL at their new address  
as follows:

DOUGHERTY & TROXELL  
5205 LEESBURG PIKE  
SUITE 1404  
FALLS CHURCH, VIRGINIA 22041

Respectfully submitted,

December 15, 1999  
Date

By:

  
David E. Dougherty  
Reg. No. 19,576

DOUGHERTY & TROXELL  
Two Skyline Place, Suite 600  
5203 Leesburg Pike  
Falls Church, Virginia 22041  
Telephone: (703) 575-2711  
Telefax: (703) 998-5634



Attorney Docket No.: 3079/40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
:   
**HSU** : Group Art Unit: 2858  
:   
Serial No.: 09/460,974 :  
:   
Filed: December 15, 2001 :  
:   
For: **ELECTRIC QUANTITY** :  
: **INDICATOR FOR AN** :  
: **ELECTROMOTIVE VEHICLE** :

CHANGE OF ADDRESS

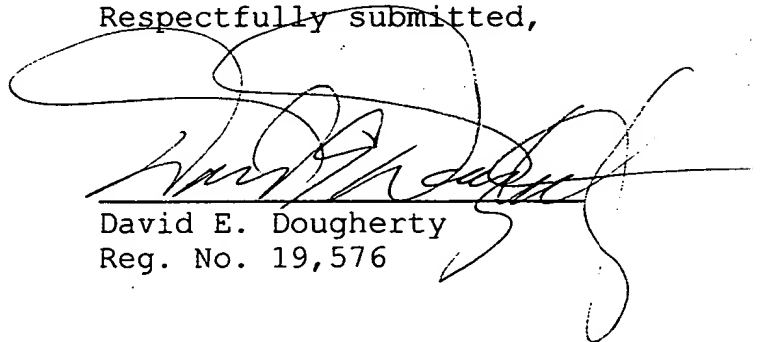
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Effective March 18, 2002, please forward all further correspondence in this application to David E. Dougherty at the new address as follows:

**David E. Dougherty**  
**DENNISON, SCHULTZ & DOUGHERTY**  
**612 Crystal Square 4**  
**1745 Jefferson Davis Highway**  
**Arlington, VA 22202**  
**Tel: 703-412-1155 Ext. 17**  
**Fax: 703-412-1161**

Respectfully submitted,



March 15, 2002  
Date

David E. Dougherty  
Reg. No. 19,576

David E. Dougherty  
DENNISON, SCHULTZ & DOUGHERTY  
612 Crystal Square 4  
1745 Jefferson Davis Highway  
Arlington, VA 22202  
Tel: 703-412-1155 Ext. 17  
Fax: 703-412-1161